

Case No. 2008-00395  
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PUBLIC SERVICE  
COMMISSION



## *Letcher County Fiscal Court*

**JIM WARD, COUNTY JUDGE-EXECUTIVE**

156 MAIN STREET • SUITE 107 • WHITESBURG, KENTUCKY 41858 • PHONE 606-633-2129 • FAX 606-633-7105

September 23, 2008

Stephanie Stumbo  
Executive Director  
Public Service Commission

Ms. Stumbo,

We recently became aware that the terms of two members of the Letcher County Water and Sewer District board of commissioners expired on June 1, 2008. The Judge/Executive and Fiscal Court were not aware of the expiration of these terms due to incomplete record keeping by the previous administration. Unfortunately, we only learned of the vacancies more than 90 days after their expiration. Accordingly, we request the Public Service Commission fill the vacancies, in accordance with KRS 74.020(4).

We recommend Phillip Back and Billy Stamper for appointment to the board of commissioners. The Fiscal Court has concurred with these appointments. We believe these two individuals are qualified and competent citizens (see attached bios) who will be aggressive in their efforts to expand service throughout Letcher County and provide prudent business guidance for the district. We believe they will manage the district in a professional and ethical manner.

We have decided *not* to re-appoint the two members whose terms have expired, due to our belief that the district has not made satisfactory progress with efforts to expand service throughout Letcher County.

Sincerely,

Jim Ward  
Letcher County Judge/Executive

RESOLUTION NO. 08-017

**A RESOLUTION OF THE FISCAL COURT OF  
THE COUNTY OF LETCHER REQUESTING  
THAT THE PUBLIC SERVICE COMMISSION OF THE  
COMMONWEALTH OF KENTUCKY APPOINT TWO (2)  
MEMBERS TO FILL VACANCIES ON THE  
LETCHER COUNTY WATER AND SEWER DISTRICT COMMISSION**

WHEREAS, the Fiscal Court of the County of Letcher has determined that there now exists two (2) vacancies on the Letcher County Water and Sewer District Commission, and,

WHEREAS, it appears that the vacancies have existed in excess of ninety (90) days following the expiration of the two terms, and therefore the vacancies must be filled by the Public Service Commission pursuant to KRS 74.020(4), and

WHEREAS the Fiscal Court of the County of Letcher is desirous of nominating two applicants for the Public Service Commission's consideration for appointment to the vacant commission seats,

NOW THEREFORE, BE IT RESOLVED by the Fiscal Court of the County of Letcher that it recommends PHILLIP A BACK, whose address is 8106 HWY 931 N, Whitesburg, KY 41858 and BILLY STAMPER, whose address is 7112 HWY 119 N, Jenkins, KY 41837, to be appointed by the Public Service Commission to fill the vacant seats on the Letcher County Water and Sewer District Commission.

This Resolution was introduced, read and adopted by the Letcher County Fiscal Court on this 23<sup>rd</sup> day of September, 2008.

Jim Ward  
COUNTY JUDGE/EXECUTIVE

Debbie Bank  
MAGISTRATE

Rob Adams  
MAGISTRATE

Wynn Fink  
MAGISTRATE

Codal Selson  
MAGISTRATE

Bob Smith  
MAGISTRATE

ATTEST:

LETCHER COUNTY COURT CLERK

BY: Carl Smith D.C.

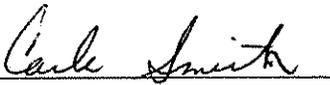
I, CARLA SMITH COURT REPORTER, DO HERBY CERTIFY THAT THIS IS A TRUE AND CORRECT EXCERPT OF THE SEPTEMBER 23, 2008 SPECIAL CALLED MEETING OF THE LETCHER COUNTY FISCAL COURT.

JUDGE WARD MADE A MOTION TO RESCEND APPOINTMENT OF RICHARD YONTS TO THE LETCHER COUNTY WATER AND SEWER COMMISSION, AS THE REPLACEMENT OF MS GISH. HE IS SERVED BY NEON WATER DISTRICT. MOTION SECOND BY MAGISTRATE BANKS. MOTION PASSED. ALL YES.

JUDGE WARD MADE MOTION TO APPOINT BILLY STAMPER IN THE POSTION OF MS GISH'S POSITION ON THE LETCHER COUNTY WATER AND SEWER COMMISSION. HIS TERM TO RUN THRU 6-01-2010. AND TO REAFFIRM THE APPOINTMENT OF PHILLIP BACK TO THE LETCHER COUNTY WATER AND SEWER COMMISSION IN THE PLACE OF SETH LONG, MR BACK POSITION TO RUN THRU 6-01-2012. MOTION SECOND BY MAGISTRATE BANKS. ALL YES. MOTION PASSED.

RESOLUTION TO LETCHER COUNTY WATER AND SEWER COMMISSION.

RESOLUTION TO THE LETCHER COUNTY WATER AND SEWER COMMISSION AS PURSUANT TO KRS 74.020(4) TO ADD PHILLIP BACK AND BILLY STAMPER TO THE BOARD OF THE LETCHER COUNTY WATER AND SEWER COMMISSION. MOTION WAS MADE BY MAGISTRATE BANKS TO ACCEPT RESOLUTION, SECOND BY JUDGE WARD. ALL YES. MOTION PASSED.

  
Carla Smith  
Court Reporter

I, Carla Smith Court Reporter, do hereby certify that this is a true and correct Excerpt of the September 15, 2008 meeting of the Letcher County Fiscal Court.

Judge Ward spoke of appointing new Water Board members.  
Phillip Back for Seth Long position and Richard Yonts for  
Ms. Gish position.

Motion made by Judge Ward to appoint, Phillip Back for Seth Long position  
and Richard Yonts for Ms Gish position on the Letcher County Water and  
Sewer Board, motion second by Magistrate Banks.

The vote was as follows, Magistrate Banks – yes, Magistrate Adams – yes  
Magistrate Lewis – yes, Magistrate Fleming – yes, Magistrate Gibson  
Abstained from voting, Judge Ward – yes.

Motion passed.



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Carla Smith  
Court Reporter

# Phillip A Back

8106 Hwy 931 N Whitesburg, KY 41858 (606) 633-5858

- Objective** To volunteer within a community based operation to help further the goals of the organization, as well as helping to enhance the lives of the community members.
- Experience**
- Purchasing Agent**  
**1983 – 1993 Golden Oak Mining Company, Isom KY**
- Overseen staff of Purchasing and warehouse employees – up to a staff of 10 employees.
  - Reviewed and managed bids from vendors to procure materials as needed for production.
  - Managed spending budget of \$8 to \$11 million annually.
  - Participated on safety committee to ensure company met Federal and State safety guidelines.
  - Worked with accounting department to approve vendor payments, and made sure vendor invoices correctly matched with bids and products delivered.
  - Worked with vendors to create cost effective inventory programs to help keep overhead low and under budget.
- Production Coordinator**  
**1973 – 1983 Baker Mine Service**
- Planned plant production for a two-shift operation.
  - Managed daily employee issues to ensure seamless production of customer orders.
  - Managed production staff to ensure government safety guidelines were met while maintaining production goals.
  - Acted as primary point of contact for Customer Program Management, handled all aspects from taking in customer orders to ensuring timely deliveries were met.
  - Set standard pricing for products sold.
  - Worked with Customers to resolve any issues within a timely manner as to not disrupt customer productions.
- Volunteer  
Community  
Activities**
- Letcher County Water Board Member 2007 (Resigned due to family health issues)  
Little League Basketball Coach  
Little League Baseball Coach  
West Whitesburg Pee Wee Football Coach  
Beckham Bates Middle School Football Coach  
Registered High School Football and Basketball Referee
- References** References are available on request.

# Phillip A Back

8106 Hwy 931 N Whitesburg, KY 41858 (606) 633-5858

<b>Objective</b>	To volunteer within a community based operation to help further the goals of the organization, as well as helping to enhance the lives of the community members.
<b>Experience</b>	<p><b>Purchasing Agent</b> <b>1983 – 1993 Golden Oak Mining Company, Isom KY</b></p> <ul style="list-style-type: none"><li>▪ Overseen staff of Purchasing and warehouse employees – up to a staff of 10 employees.</li><li>▪ Reviewed and managed bids from vendors to procure materials as needed for production.</li><li>▪ Managed spending budget of \$8 to \$11 million annually.</li><li>▪ Participated on safety committee to ensure company met Federal and Sate safety guidelines.</li><li>▪ Worked with accounting department to approve vendor payments, and made sure vendor invoices correctly matched with bids and products delivered.</li><li>▪ Worked with vendors to create cost effective inventory programs to help keep overhead low and under budget.</li></ul> <p><b>Production Coordinator</b> <b>1973 – 1983 Baker Mine Service</b></p> <ul style="list-style-type: none"><li>▪ Planned plant production for a two-shift operation.</li><li>▪ Managed daily employee issues to ensure seamless production of customer orders.</li><li>▪ Managed production staff to ensure government safety guidelines were met while maintaining production goals.</li><li>▪ Acted as primary point of contact for Customer Program Management, handled all aspects from taking in customer orders to ensuring timely deliveries were met.</li><li>▪ Set standard pricing for products sold.</li><li>▪ Worked with Customers to resolve any issues within a timely manner as to not disrupt customer productions.</li></ul>
<b>Volunteer Community Activities</b>	Letcher County Water Board Member 2007 (Resigned due to family health issues) Little League Basketball Coach Little League Baseball Coach West Whitesburg Pee Wee Football Coach Beckham Bates Middle School Football Coach Registered High School Football and Basketball Referee
<b>References</b>	References are available on request.

# **Billy Stamper, P.E.**

7112 Highway 119 North  
Jenkins, KY 41837  
Home Phone: (606) 855-7429  
Email: bstamper@archcoal.com  
2<sup>nd</sup> Email: bstamper35@hotmail.com

## **EXPERIENCE:**

### ***July 2008-Present, Production Manager, Cumberland River Coal Company***

Responsible for managing all aspects of surface coal mining production, this includes managing personnel, logistics and resources while operating at or below company budget. Daily interaction with Federal and State Inspectors and insuring that the company is in compliance with all required mining laws. Involved in maintenance scheduling to insure equipment maintains high availability and that the preventive maintenance program is successful.

### ***2007-2008, Project Engineer, Cumberland River Coal Company***

Engineering tasks performed includes management/design of construction projects such as road design/construction, pond design/construction and deep mine face-up design/construction. Overseen all projects from design phase to completion. In addition, managed contractors work while on mine property to insure quality assurance. Involved in company 1-year 3-year and 5-year budgeting processes. Other responsibilities include process improvement projects, gas line relocations, timber management, reclamation activities such as seeding and reforestation.

### ***2005-2007, Environmental Engineer, Cumberland River Coal Company***

Responsible for overseeing all aspects of environmental compliance for surface and deep mine coal operations. All relative engineering designs such as pond designs, hollow fill design and backfill calculations. Performed reserve studies and planning to maximize coal reserves. Design and implemented company Spill Prevention and Counter Measures (SPCC) plan. Managed consultants used to obtain required permits and environmental studies. Worked with management to insure company complied with all required environmental responsibilities. Performed company environmental training to employees.

### ***2001-2005, Entry Level Engineer, M.M.C., Inc.***

Responsible for performing engineering design relevant to the completion of plans and applications submitted to the Division of Water (DOW), Department for Surface Mining and Reclamation Enforcement (DSMRE), Mine Safety and Health Administration (MSHA), and U.S. Army Corps of Engineers (USACE).

Provided design and technical assistance for raw water supply projects, DSMRE permit applications, Department of the Army permit applications, floodplain construction permits, coal refuse disposal facilities, fuel containment areas, mineral reserve evaluations, and site development. Projects include Fleming-Neon Emergency Water Project, Lakeview Mine - Stream Mitigation Plan, ARH Office Building Addition, and Old Virginia Services Raw Water Supply Project.

Engineering tasks performed includes hydraulic design of flood and sediment storage structures, hydrologic modeling, slope stability analysis, site surveys, preparation of contract documents and specifications, design of concrete structures, creation of detailed construction drawings, and creation of topographical maps from survey data.

***2000-2001, Student Engineer, Kentucky Transportation Center***

Provided construction inspection of paving operations to ensure compliance with specifications. Included field density testing and laboratory testing of construction materials.

Aided in research for the development of a new permeability test for road joints.

***Summer 1999, Student Engineer, M.M.C, Inc.***

Created design drawings of sedimentation ponds, valley fills, and site plans. Also assisted Royalty Construction, Inc. in the preparation of construction bids including obtaining subcontractor pricing and creating construction takeoffs from Architectural Plans.

**EDUCATION:**

B. S., Civil Engineering, University of Kentucky, July, 2001  
Pre-Engineering Curriculum, Olivet Nazarene University, Kankakee, IL

**CERTIFICATES:**

Professional Engineer (State of Kentucky), Kentucky Surface Mine Foreman Certification, Engineer-In-Training, Troxler Certified Nuclear Density Gage Operator, ACI Certified Grade I Concrete Field Testing Technician.